

# **EXHIBIT CC**

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**IN SHIFT , SWEDEN EXTRADITES MILITANTS TO EGYPT**

Anthony Shadid, Globe Staff

WASHINGTON - Sweden, with one of Europe's strongest traditions of human rights, has extradited two suspected Islamic militants to Egypt after receiving written assurances that they would not be tortured or executed.

The move, which was condemned by Amnesty International and some Muslim activists, is one of the clearest signs of a changing atmosphere in Europe following the Sept. 11 terrorist attacks on New York and Washington, analysts say.

For years, Egypt and other Arab governments have criticized Sweden, Britain, Denmark, and other European countries for granting safe haven to some of its most wanted fugitives - complaints that, until now, had gone unheeded.

"It's much more important than just between Egypt and Sweden," said Magnus Ranstorp, deputy director of the Center for the Study of Terrorism and Political Violence at St. Andrews University in Scotland.

European countries "clearly understand that they are with the United States in fighting the terrorist menace and they know that they have to do so despite the fact that they may draw domestic political criticism," he said.

Sweden sent the two men - identified by the London-based Arabic newspaper Al-Hayat as Ahmed Hussein Agaiza and Mohammed Ibrahim al-Zari - to Egypt recently after rejecting their applications for asylum. Both were fugitives in Egypt, and Agaiza was among the country's most wanted.

Swedish officials said the two men were deported after it was learned they were leaders of a group suspected of carrying out terrorist attacks in Egypt. Sweden received assurances from Egypt that they would receive a fair trial and they would not be subject to torture or face the death penalty.

The Egyptian Embassy in Washington said that while it was aware of the extraditions, it did not have precise information about them. Officials in Cairo regularly refuse to comment on security matters.

Amnesty International criticized Sweden's actions, saying the two men were still at risk of an unfair trial and torture, practices human rights groups contend is common in Egyptian prisons. In a statement, it called the Egyptian guarantees "an insufficient safeguard."

"The Swedish government is in breach of its obligations under international refugee law and human rights law not to send anyone back to a country where they risk serious human rights violations," it said.

Agaiza, 39 - whose code name is Abdel Hamid - is the better known of the two. Egyptian authorities have accused him of helping plan the bombing of the Egyptian Embassy in Islamabad in 1995 - an attack that killed 17 people. In 1999, Agaiza was sentenced in absentia to life at hard labor in a trial of 107 suspected members of al-Jihad, one of Egypt's main militant groups. (A leader of one faction of al-Jihad is Ayman al-Zawahiri, who was believed to be the deputy to Osama bin Laden in Afghanistan. But Arabic newspapers said Agaiza had fallen out with Zawahiri.)

Agaiza's wife reportedly said he was detained in the street in Sweden on Dec. 18 and deported hours later. Al-Zari, who had resided in Sweden since 1999, was detained at a candy store where he worked, then flown to Cairo, it was reported.

"There's a lot of pressure on Western governments, from Egypt, but more importantly from the United States," said Diaa Rashwan, a specialist on militant Islam at Cairo's al-Ahram Center for Political and Strategic Studies. "Extradition represents one of the important ways of fighting this war. I expect we'll see a lot more than we've seen until now."

The Swedish extraditions fit into the broader US campaign in several ways. US officials have made clear that in some cases they are happy to see wanted militants sent back to their home countries and tried there. They also have made clear that Europe is a priority for antiterrorism efforts by virtue of its history as a safe haven, particularly during the 1990s.

Egyptian militants have long played a key role in militant Islamic networks, both as ideologues and cadres, many of whom were veterans of the war in Afghanistan in the 1980s against Soviet troops. For much of the last decade, the Egyptian government fought a war at home and abroad with US assistance in dismantling the leadership of the networks.

But until this month, Egypt's most wanted were usually shipped back to Cairo by less public means. In a still secret operation, Syria extradited Rifai Ahmed Taha - a key bin Laden lieutenant - to Egypt in October. In 1995 and 1998, US agents helped abduct then deport other operatives from Croatia and Albania, including Talaat Fouad Qassem, who had asylum in Denmark. US officials have suggested that the practice, known as rendition, may become more common as the antiterrorism campaign unfolds abroad.

Several Arab countries still have long lists of militants they consider

fugitives, many of them in Britain, which has passed a tough new antiterror law. Among them: Yasser al-Sirri, who is in custody in London and wanted in Egypt; Abu Qutada, also known as Omar Mahmoud Abu Omar, who is wanted in Jordan (the US has asked that his assets be frozen); and Abu Hamza al-Masri, an Egyptian, who is wanted in Yemen for a kidnapping and attack in 1998. Those extraditions may prove more difficult. Sirri, for instance, was sentenced to death in absentia in Egypt, and European Union nations have made it clear they will not extradite suspects facing the death penalty. Those who have received asylum, like Abu Qutada, will receive more protections as well.

The key in the Swedish extraditions was apparently the written assurances, which may serve as a litmus test for the future, analysts say. "This is a test case for how some of the regimes will try and meet our standard of justice," Ranstorp said. "It will help some other European countries decide if they're going to follow suit or not."

Some Islamic activists in Europe, citing Egypt's often-criticized human rights record, dismissed the assurances.

"What guarantees? Who can bind Egypt?" asked Azzam Tamimi, an Islamic scholar and activist in London. "You wouldn't pay even a dime for them."

He worried that political expediency and national security concerns would override protections that safeguarded legitimate asylum-seekers. "Everybody is queuing up for whatever dividends may come out of this, and they'll be willing to do this job on behalf of the Americans," he said.

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